IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

Bail Appl..No. 1347 of 2007()

CRIME NO.19/07 OF THUMBA POLICE STATION

.....

: PETITIONER/ACCUSED NO.2

MANIKANTAN D., AGED 26,
S/O. DHARANIDHARAN, CHIRAVILAKAM,
ATTINKUZHI, KAZHAKUTTAM, THIRUVANANTHAPURAM.

BY ADV. SRI.BLAZE K.JOSE

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP. BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING SUB INSPECTOR OF
POLICE, THUMBA.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1347 OF 2007 C

Dated this the 7th day of March, 2007

O R D E R

Petitioner, who is the second accused in Crime No.19/2007 of Thumba Police Station for offences punishable under sections 143, 147, 148, 324, 326, 506(i) and 308 read with section 149 IPC, seeks anticipatory bail.

2. The occurrence took place at about 8.45 p.m. on 23.1.2007.

3. Learned Public Prosecutor opposed the application.

4. The case of the prosecution is on account of the enmity between the brother of the de facto complainant and the petitioner herein, the four accused persons armed with deadly weapons like sword etc. are alleged to have attacked the brother of the de facto complainant Salim causing grave injuries both on his hands and legs resulting in both his feet being chopped of.

5. Anticipatory bail cannot be granted in a case of this nature. I am, however, inclined to permit the petitioner to surrender before the Investigating Officer for custodial interrogation and then to have his application for regular bail considered by the Magistrate concerned. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 13.3.2007 and 15.3.2007 for

the purpose of custodial interrogation and incriminating materials, if any. The petitioner shall, thereafter, be produced on the same day before the concerned Magistrate, who shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same date on which it is filed.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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